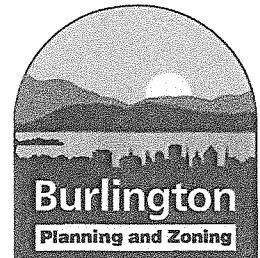


Department of Planning and Zoning

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Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin *SG*
DATE: May 7, 2013
RE: 13-0915CA & 13-0916CA; 39 Bradley St. & 71 Hungerford Tr.

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. **THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.**

Zone: RH Ward: 2

Owner/Applicant: Emily Lee & Tim Elliott / Ponds End Corp.

Request: Construction of new driveway within side yard setback.

Applicable Regulations:

Article 4 (Zoning Districts) and Article 8 (Parking)

Background Information:

The applicant is seeking approval to install a driveway to serve an existing single family home at 39 Bradley Street. No driveway presently exists. The proposed driveway would encroach into the side yard setback and onto the abutting property at 71 Hungerford Tr. As a result, it is subject to review under Sec. 4.4.5 (d) 1 A, *Encroachment for Residential Driveways*. No other site changes are proposed. As two properties are involved, two applications are necessary but will be reviewed concurrently.

There are no previous zoning permit actions for 39 Bradley Street.

Recommendation: Consent approval as per, and subject to, the following findings and conditions:

I. Findings

Sec. 4.4.5, Residential Districts:

(a) Purpose

(5) Residential High Density (RH)

The subject property is located in the RH zone. This zone is primarily intended for high density residential development. The property is developed with a single family home in a densely developed neighborhood, and the use will remain unchanged. **(Affirmative finding)**

(b) Dimensional Standards & Density

Dimensional changes included in this application are limited to the common side yard setback between the two properties and lot coverage. The house at 39 Bradley Street is about 6' to the

subject side property line. The proposed driveway is 12' wide and would straddle the property line. The proposed setback infringement may be permitted by Sec. (d) 1 A below.

Lot coverage will increase from 38.5% to 49.8% at 39 Bradley Street and from 51.5% to 53.4% at 71 Hungerford Terrace. This coverage remains below the 80% limit in the RH zone.

(Affirmative finding)

(c) Permitted & Conditional Uses

The existing single family home use will remain unchanged. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

A. Encroachment for Residential Driveways

The existing property at 39 Bradley Street is nonconforming in that it has no parking. Two parking spaces are required for a single family home per Article 8, Parking. The lot is also small (0.09 acre, less than the minimum standard of 4,000 sf) and narrow (40' wide). There is not enough room to install a conforming driveway. The minimum width for a residential driveway is 7'. Given the 6' distance of the home to the side property line, even a driveway of that minimum width would be set almost entirely within the 5' setback. As a result, the proposed driveway may encroach into the side yard setback per this criterion. The proposed 12' X 45' driveway will be of sufficient dimension to include two off-street parking spaces in compliance with front yard parking restrictions.

In order to minimize stormwater runoff, the driveway will be constructed of pervious pavers to allow for infiltration.

As for impacts to the character of the area, the home at 39 Bradley Street is the only home without a driveway. Installation of a driveway is entirely consistent with the character of the neighborhood.

Given the distance of the proposed driveway to the driveway on the neighboring property and to the Bradley Street / Hungerford Terrace intersection, safety should not be problematic; however, a curb cut permit from the Department of Public Works is required. The applicant should also be prepared to address any sidewalk impacts associated with the driveway construction. No new lighting is proposed, and the side yard of 71 Hungerford Terrace will experience minimal encroachment. In light of the need for parking at 39 Bradley Street and the minimal impacts associated with the request, the proposed driveway is acceptable. **(Affirmative finding as conditioned)**

2. Height

Not applicable.

3. Lot Coverage

See Sec. 4.4.5 (b) above.

4. Accessory Residential Structures and Uses

Not applicable.

5. Residential Density

Not applicable.

6. Uses

Not applicable.

7. Residential Development Bonuses

Not applicable.

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The single family home requires two parking spaces. None presently exist. The introduction of 2 parking spaces will make the property conforming with respect to parking. The 12' X 45' driveway is adequately sized for 2 tandem parking spaces and conforms to Sec. 8.1.12 (c) *Front Yard Parking Restricted*. **(Affirmative finding)**

II. Conditions of Approval

1. Separate permits, issued by the Department of Public Works, are required for removal of the existing curb and greenbelt, installation of a new curb cut and driveway apron as well as any sidewalk work that may be necessary.
2. **EPSC Pre-release Condition:** Prior to release of the zoning permit, the applicant shall obtain written approval of the Erosion Prevention and Sediment Control Plan from the Stormwater Administrator.
3. **Prior to issuance of a certificate of occupancy**, the applicant must obtain written certification from the Stormwater Administrator that, among other things, the project EPSC plan as approved has been complied with and final site stabilization has occurred. This certification shall be filed with the Department of Planning & Zoning.
4. Standard conditions 1-15.

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Description

We are seeking approval to install a driveway to serve our existing single family home. 39 Bradley is located in the Residential High Density Zone (RH). We have no driveway or off street parking.

The driveway will have a retaining wall on both sides. There will be a 2-foot walkway between the driveway and our house, which will be delineated with contrasting colored pavers.

Our lot is narrow and there is not space to have a driveway without an easement. Our neighbor has agreed to provide the necessary easement to enable this project upon approval of zoning request.

Our house is currently non-conforming in respects to parking. Single Family homes require 2 parking spaces. The addition of this one parking space will make our home more conforming to current zoning standards. All neighboring homes on Bradley Street have driveways.

We have chosen to use high quality materials such as granite for the retaining wall to match the historic quality of the house and upgrade the streetscape of Bradley. Our hope is that this project will raise the bar on Bradley Street and encourage investment in exterior improvements.

The driveway will be built using pervious pavers so as to not add additional storm water runoff and reduce associated water quality impact. RH allows for 80% lot coverage the additional driveway coverage will not exceed 80%

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GARAGE

PROPERTY LINE

39 BRADLEY

45' 0"

10' 0"

RETAINING WALL -
30' LONG X 24" HIGH
60 SQ FT

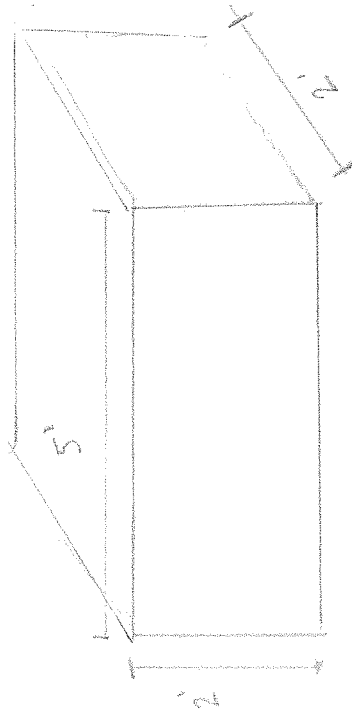
PAVERS 450 SF

BRADLEY STREET

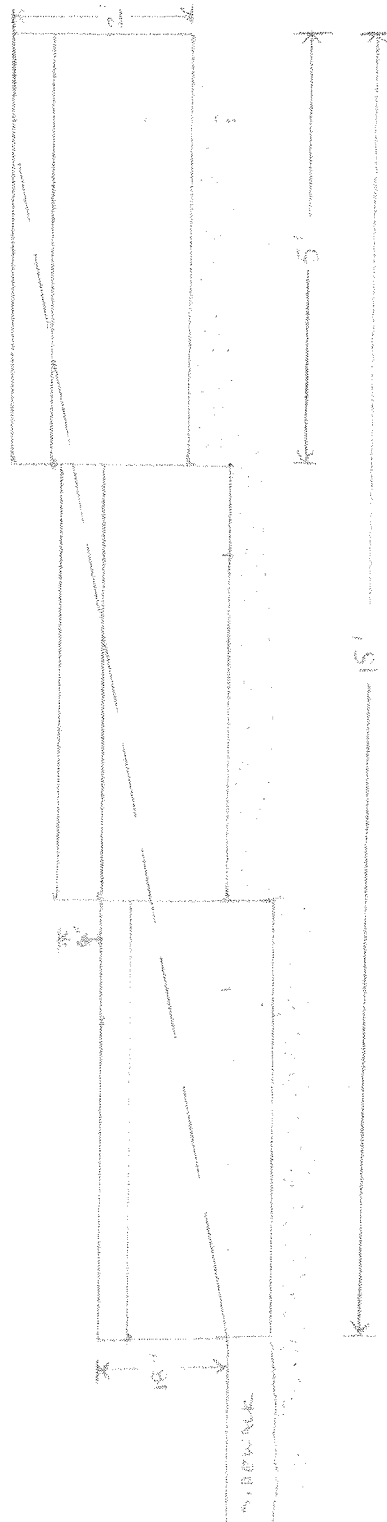
Revision #: 001 Date: 4/3/2011	Landscape Plan: 001 Emily Lee New Driveway
Scale: 0' 1" = 8' 0"	Landscape Design by: Rebecca Lindenmeyr Linden L.A.N.D. Group

PROPERTY LINE

RETAINING WALL
(SHARPED TO FOLLOW GRADE)



PROPOSED
DRIVEWAY GRADE



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EMILY LEE DRIVEWAY

4/6/11



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HOUSES/BUILDINGS FRONTING ON BRADLEY: 16
DRIVEWAYS ENTERING BRADLEY: 18

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To see all the details that are visible on the screen, use the "Print" link next to the map.

Google

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